

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION

MDL No. 2843
Case No. 18-md-02843-VC (JSC)

DISCOVERY ORDER NO. 12

This MDL matter has been assigned to this Court for management of discovery. The Court held a discovery status conference on January 15, 2021 and this Order memorializes the decisions made at the hearing.

A. ADI. Plaintiffs shall select 20 entries, from the previously identified 400 entries, for in camera review by the Court and notify Facebook by January 22, 2021—or earlier if possible—of the specific entries selected. The Parties shall then simultaneously brief the Court, limiting the respective briefs to 20 pages total, by February 5, 2021. By that same date, Facebook shall submit the documents for in camera review to jscsettlement@cand.uscourts.gov.

B. 30(b)(6) Depositions. The Parties have thus far been unsuccessful in negotiations regarding the 30(b)(6) deposition required by Discovery Order No. 11. (Dkt. No. 588.) The Court orders the Parties to conduct the deposition in the month of February, preferably prior to the next status conference. Further, the deposition shall be no longer than 10 hours in total (over at least two days). The scope of the depositions shall be limited to the discoverable user data as defined by Discovery Order No. 9, (Dkt. No. 557), and how Facebook monetizes—directly or indirectly—and thus values user data. The purpose of the depositions is to gain a better understanding of Facebook’s internal operations, related to the scope of the depositions as described above; whether particular user data is not

1 shared, not admissible, or not monetized, is not a valid reason to object to a particular
2 deposition question. If the deponent is unable or unprepared to answer particular
3 questions, that can be addressed with further, more targeted, 30(b)(6) depositions if
4 needed.

5 **C. Next Status Conference.** The next video status conference shall be February 24, 2021 at
6 8:30 a.m. The Parties shall submit a joint status update by February 23, 2021 at 12:00 p.m.

7 **IT IS SO ORDERED.**

8 Dated: January 15, 2021

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11 JACQUELINE SCOTT CORLEY
12 United States Magistrate Judge
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